Environmental Assessment

A Guide to the Process

Government of Newfoundland and Labrador

Department of Environment
Environmental Assessment Division

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Contents

Introduction 2

The Need for Environmental Protection 3

The Environmental Assessment Process 5

Registration 5

Examination 6

Minister's Decision 6

Proponent's Action 7

EIS Review and Decision 9

Penalties 10

Exemptions 10

Act and Regulations 11

Appendix 12

Schedule 1: Undertakings Subject to Registration 12

Schedule 2: Special Areas 31

Schedule 3: Registration Form 32

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Introduction

The Environmental Assessment Act is one of the most important pieces of legislation in the history of Newfoundland and Labrador.

It affects everyone living in the Province.

And it protects our resources, environment, and life-style.

It requires anyone who plans a project that could have an impact on the natural, social or economic environment to present the project for examination before it can be allowed to proceed.

Government wants to ensure that projects are planned with the rights of all parties in mind.

The advantages of co-ordinated planning are obvious. Worthwhile public projects and private enterprises are carefully examined by Government and the public. Therefore, maximum benefits are realized by all. Undesirable side-effects are prevented or minimized by the developer under the supervision of regulatory agencies.

This process applies to business people, whether they be involved in large corporations or small private firms; to municipalities or community organizations; to government departments and agencies; to institutions; and to individuals.

It is vitally important, then, that the Act and the Regulations governing the Environmental Assessment process be understood by everybody.

To proceed with the development of a project without proper authorization could be a costly process. The work could be stopped, the money spent could be lost, and the developer could be subject to the penalty provisions of the Act.

Obviously, it is a serious concern for prospective developers.

The Department of Environment has prepared this Guide to the Act and Regulations to present the various requirements for developers in a clear, concise, and simple format so that the process can be fully understood.

However, this Guide is not a legal authority and should not be used as a substitute for the Regulations or the Act itself. Developers are strongly advised to obtain copies fo the Act and Regulations before they begin the Environmental Assessment process.

The Department welcomes questions from the public concerning Environmental Assessment, its implications, and requirements. Please direct inquiries to:

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Environmental Assessment Division
Department of Environment
P. O. Box 4750
St. John's, Newfoundland
A1C 5T7
Telephone: (709) 737-2562

The Need For Environmental Protection

During the past twenty years, there has been growing concern over the damage being caused to our environment by the growth of industry and technology throughout the world.

People everywhere have expressed alarm over the long-term effects of air and water pollution, the destruction of forests and farm land, uncontrolled exploitation of natural resources, hazards to human health, and threats to the quality of life.

In earlier times, the environment was hardly ever considered in the industrial and social free-for-all. Productive agricultural land fell to the demands of urban growth, destroying capabilities of producing food. Lakes and rivers were dammed, diverted, or drained for industrial purposes without concern for the effects such action would have upon wildlife and other resources. Forests were denuded without thought of replacement. Plants and mills were allowed to pollute the air we breathe and the water that our trout and seafood inhabit. Innocent people frequently suffered from exposure to the hazards created by industries which themselves would last only until resources ran out or profits declined.

It is now universally recognized that the abuses of the environment throughout history — even when practiced with good intentions — can no longer be tolerated in a world that has the technology to magnify the effects of such abuses to the point of total destruction.

People realize that their environment is a precious, irreplaceable commodity that is vital to human existence on earth. It is a priceless heritage that was not created by man and must not be destroyed by him.

Governments Take Action

Since the early 1960's, the increase in public, professional and government concern for the environment has resulted in remarkable progress.

A greater awareness of past problems, together with increased public concern, caused governments to take positive action in researching environmental issues and enacting enlightened protective legislation.

In the United States, this new awareness led to the development of the environmental assessment process, where the effects of a project on the environment could be studied before the project was begun. This procedure could be compared to the old adage about an ounce of prevention being worth a pound of cure. It was obvious that it is more economical to prevent environmental damage — or at least to minimize it — in the first place than to try to repair it later.

The Environmental Assessment and Review Process was established by the Canadian government in 1973, and since then nearly every province has followed suit. Newfoundland, which has had its share of environmental abuse during its long history, was quick to recognize the need for environmental assessment and took early steps to develop legislation for its process.

The Environmental Assessment Act for Newfoundland and Labrador was passed by the House of Assembly in May 1980, and became law in November of that year.

The Act requires that many projects which may have an impact upon the environment must be registered with the Department of Environment for examination, and may not receive approval from any provincial or municipal authority until discharged under the Act.

In some cases, this review may be a simple procedure if no significant environmental effect is anticipated. In others, the assessment may require the development of an Environmental Impact Statement and even a public hearing before the final discharge by the Minister of Environment. Once the discharge is received, the undertaking is still subject to approval from other regulatory bodies.

This can be a time-consuming process for the developers of a project, and it will add to the overall cost (usually one per cent or less). But it protects the people who live and work in Newfoundland, and this includes the developing organization and its principals and employees.

The list of undertakings which must be registered under the Regulations is a long one and applies to developers who may be individuals, community groups, companies, and government departments or agencies. There are also some exemptions to the Act and its regulations.

It is recommended that readers consult the listing in Schedule 1 along with Schedule 2 of this booklet to determine if they are affected by this legislation. If there is any doubt, please contact the Department of Environment before proceeding with any proposed undertaking.

Activities which would be affected by the Environmental Assessment Act are described as **undertakings** throughout the Act and its associated Regulations. An undertaking is defined as "any enterprise, activity, project, structure, work, policy, proposal, plan or program that may, in the opinion of the Minister (of Environment), have a significant environmental impact . . ." Such activities also include modification, extension, abandonment, demolition or rehabilitation of undertakings.

Those who carry out these undertakings or propose to carry them out, whether they be corporations, groups, or individuals, are described as **proponents**. A proponent may be either the person or organization which owns, manages, or controls an undertaking.

To be consistent with the Act, these two terms will be used throughout this brief Guide.

Step One: Registration

Every proponent who is planning an undertaking that may have a significant effect on the environment is required to register the project with the Minister of Environment. A special form for this purpose is available from the Department. (See Schedule 3)

It should be remembered that such undertakings are not just large manufacturing plants, mills, or land developments. They also include smaller projects such as trailer parks, sawmills, waste disposal sites, trails, gravel pits, or commercial harvesting of wild plants.

If you are planning an undertaking, large or small, which involves land use, forests, water or animal life; or if it may have an impact on community activities or recreation, then you may be required to register the project.

The responsibility for registering lies with the proponent. Please investigate your liability in this respect.

Registration, using the forms provided, is a relatively simple process and may prevent costly delays and unnecessary expense for the undertaking.

Step Two: Examination

Within ten days of the time a registration is received, the Minister of Environment will announce publicly that he has received it and will offer to make it available to interested members of the public. The Minister will also invite written comments to be submitted by the public within a 30-day period.

The registration will be examined by various government departments and a recommendation will be made to the Minister. The Environmental Assessment Division of the Department coordinates this examination.

Step Three: Minister's Decision

Within forty-five days of having received the Registration, the Minister of Environment will advise the proponent of his decision on the proposal.

This decision could take one of three forms:

1. **The undertaking may proceed** as indicated in the registration proposal, subject of course to any other appropriate Acts or Regulations at any level of government.

2. **An Environmental Preview Report is necessary.** This document (EPR) would provide more detailed information than is contained in the Registration form and would present preliminary information concerning the effects which the undertaking would have on the environment, based on readily available information. As in the case of Registration, the Department will provide guidelines to assist the proponent in preparing the EPR. It should be noted that a Preview Report is rarely required. It is more likely that an Environmental Impact Statement will be requested, if an assessment is needed.

3. **An Environmental Impact Statement is required.** This document (EIS) is a complete description of the undertaking, stating the need for it in terms of present and future demands, the existing environment relating to the undertaking, and the impact which the undertaking will have on that environment. Once again, the Department will provide guidelines to assist the proponent.

   The Minister will announce his decision publicly within ten days of having advised the proponent.

   It is important to note that until this step has been completed, no work may proceed on the undertaking. Furthermore, no such work may be carried out if the Minister has ordered an environmental preview report or an environmental impact statement.

Step Four: Proponent's Action

The Minister's decision determines the action to be taken by the proponent. As noted in Step Three, there are three possible courses of action:

1. **The project proceeds.** If the decision indicates that no further information is required, and there is no necessity for an Environmental Impact Statement or a Preview Report, then the proponent may seek approval immediately for the proposed undertaking, from appropriate regulatory bodies or agencies, as the Minister's decision does not replace or over-ride normal requirements for permits or licenses from other departments of the provincial or federal governments, or from municipal authorities.

   It is important to know that there is a time limit on the effect of the discharge issued by the Minister. The decision is effective for a period of three years from the date that the proponent is advised of the decision. If work has not begun on the project within that time, the original decision becomes void, and the undertaking must be registered once again.

2. **An Environmental Preview Report is prepared.** If, in exceptional cases, the Minister requests an EPR, it is because the review of the registration indicates that it may be necessary to require an Environmental Impact Statement for the proposed undertaking. The purpose of the EPR is to provide sufficient information on the project to determine whether an EIS is required.

3. **An Environmental Impact Statement is compiled.** The Minister may require the proponent to submit an Environmental Impact Statement if an examination of the initial registration or a subsequent Environmental Preview Report indicates that significant harmful environmental impact may result from the undertaking.

   To assist the proponent in this process, the Minister will provide guidelines for the preparation of the EIS.

   The first step for the proponent is to consult with officials of government and with interested members of the public to determine how their concerns will be addressed in the terms of reference for the Statement.

With this information in hand, the proponent then prepares draft "Terms of Reference" and forwards twenty-five copies to the Minister. The draft terms must indicate that the EIS will include:

- a description of the proposed undertaking
- the reason for the undertaking
- other methods of carrying out the undertaking;
- alternatives to the undertaking;
- a description of the present environment that would be affected, directly or indirectly;
- a description of the future environment, predicting its condition if the undertaking did not take place;
- the effects that may be caused to the environment;
- actions that may be necessary to alter or remedy the effects on the environment;
- an evaluation of advantages and disadvantages to the environment of the undertaking
- proposed measures to control, remedy, or minimize all significant harmful impacts;
- a proposal for a program to monitor all toxic substances and other harmful impacts produced by the undertaking during its construction and operational stages;
- proposals for a program of public information.

The draft terms of reference must also include a commitment to describe impacts which may occur to the environment despite the controls and remedies proposed; list all sources of information to be cited in the EIS; outline the design of any component studies necessary for the preparation of the EIS; and include in the EIS specific responses to concerns of the public and proposed measures to deal with these concerns. There must also be a commitment to provide copies of all reports on original studies undertaken as soon as they become available.

When the draft terms are sent to the Minister, he will announce their receipt within ten days and make them available to interested members of the public. Written comments will be invited from the public but must be received within thirty-five days of the notice.

The draft terms of reference are then studied by an Assessment Committee, which will make a recommendation on whether the draft terms are acceptable, or are not acceptable and therefore must be revised.

If the terms are acceptable, the Minister will advise the proponent that they are satisfactory to form the Terms of Reference for the Environmental Impact Statement. This notice will be given within forty-five days of receipt of the draft terms by the Minister, and will be made public within a further ten days.

Where **component studies** are necessary in the preparation of the EIS, separate draft terms of reference must be prepared and submitted to the Minister for similar review and decision on their acceptability.

Once the Minister's approval of all the terms of reference has been received, the proponent may start work immediately on the preparation of the Environmental Impact Statement and any associated component studies.

In the course of gathering data for the EIS, the proponent is required to initiate a public information program for the area affected by the undertaking. Through such a program, local residents will be fully informed of the nature of the project and its effects on the environment, and copies of all reports on original studies undertaken for the EIS will be made available. The concerns of the public will be recorded and must be addressed in the EIS.

Public notice of the assessment process for the undertaking will be issued by the Minister through newspapers, the Newfoundland Gazette, and/or by announcements posted in public places.

Step Five: EIS Review and Decision

Once the Environmental Impact Statement is completed, the proponent forwards it to the Minister, who will announce its receipt within ten days. A maximum of fifty copies of the statement should be provided by the proponent as required by the Minister.

Copies will be made available to interested members of the public, and written comments will be invited and received within a forty-five day period.

The Assessment Committee will examine the EIS and make a recommendation on whether or not it follows the approved terms of reference and is acceptable according to the Act and Regulations.

If the EIS is not acceptable, the Minister may require the proponent to conduct further work, to amend the statement, or to re-submit a revised statement at a later date.

If strong public interest or concern over the undertaking is indicated, the Minister may request the Cabinet to appoint an Environmental Assessment Board to hold public hearings relating to the assessment. This Board will consist of from two to five persons who are not employed by government. The Chairman will not be a resident of the area affected by the undertaking, but one-third of the Board's membership will reside in the geographic area, and the hearings themselves will be held there. The information received at these hearings, together with the final report and any recommendations of the Board, will be made public.

When the Assessment Committee has completed its work, and — if public hearings were held — the report of the Environmental Assessment Board is received, the Minister will make his final recommendation to Cabinet on the undertaking in question.

This recommendation will ask Cabinet either to permit the undertaking to proceed or not to permit it.

The final decision is made by Cabinet.

When discharged by the Minister, the proponent may seek approval for the undertaking, subject to the requirements of other Acts, Regulations, licences or permits at all levels of government.

Penalties

Proponents who fail to comply with the requirements of the Environmental Assessment Act may be subject to penalties of up to $5,000 (or in default, up to six months in prison) for a first offence; and up to $10,000 (or in default, up to twelve months in prison) for a second or subsequent offence.

Exemptions

If it is considered in the public interest, the Minister may — with the approval of Cabinet — exempt an undertaking from the provisions and requirements of the Environmental Assessment Act or Regulations. The Minister may also decline to disclose documents or matters that are not in the public interest.

Notice of any exemptions, and the reasons for them, will be published by the Minister.

Act and Regulations

Readers are strongly advised to consult the complete text of the Environmental Assessment Act and Regulations before proceeding with the registration of an undertaking.

These Regulations stipulate time frames and deadlines for all phases of the assessment process, and the legal details of the requirements described briefly in this Guide.

This booklet is intended to provide background information on environmental assessment in Newfoundland, its importance to the people of the Province, and the process by which it is administered. It is not to be considered a final authority or legal document.

After reading this Guide and studying the Regulations and the Act itself, if any readers have further questions they are invited to contact the Department of Environment for additional information or explanation. Copies of the Act, Regulations, and other material relating to environmental assessment are available upon request.

Appendix

SCHEDULE 1

UNDERTAKINGS SUBJECT TO REGISTRATION

Pursuant to Section 4.(1) of the Regulations

TABLE OF CONTENTS

	PAGE
INTRODUCTION	14
DIVISIONS AND GROUPS OF UNDERTAKINGS	
Agricultural and Related Services	14
Agriculture	
Fishing and Trapping	14
Fishing	
Services Incidental to Fishing	
Logging and Forestry	14
Logging	
Forestry Services	
Mining (Including Milling), Quarrying & Oil Wells	15
Mining	
Crude Petroleum and Natural Gas	
Quarries and Sand Pits	
Manufacturing	16
Food	
Beverages	
Rubber Products	
Plastic Products	
Leather and Allied Products	
Primary Textiles	
Textile Products	
Wood	
Paper and Allied Products	
Primary Metals	
Fabricated Metal Products (Except Machinery and Transportation Equipment)	
Transportation Equipment	
Non-Metallic Mineral Products	
Refined Petroleum and Coal Products	
Chemicals and Chemical Products	
Other Manufacturing	
Construction	18
Industrial and Heavy (Engineering) Construction	
Services Incidental to Construction	

	PAGE
Transportation and Storage	21
Transportation	
Communication and Other Utilities	22
Other Utilities	
Wholesale Trade	22
Petroleum Products, Wholesale	
Other Products, Wholesale	
Government Services	22
Provincial Government Services	
Accommodation, Food and Beverage Services	22
Accommodation Services	
Other Services	23
Amusement and Recreational Services	
INDEX	24

INTRODUCTION

Any group of undertaking preceeded by an ***asterisk*** shall be defined by the list of establishments referred to in the Industry Definitions and Classified Index Section of the Standard Industrial Classification Manual, as referred to in section 4.(2)(b) of the Regulations.

An alphabetical index of undertakings appears at the end of this schedule.

AGRICULTURAL AND RELATED SERVICES

AGRICULTURE

011 Livestock Farms

- Community pastures:
  - (a) involving the clearing of land of greater than 50 hectares in area, or
  - (b) involving the clearing of land located in a Special Area as defined in Schedule 2 unless the Special Area is a community pasture.

015 Fruit and Other Vegetable Farms

- Blueberry Management Areas:
  - (a) involving the clearing of land of greater than 50 hectares in area, or
  - (b) involving the clearing of land located in a Special Area as defined in Schedule 2 unless the Special Area is a Blueberry Management Area

016 Horticultural Specialities

- Christmas tree farming, except the non-commercial cutting of trees
- The commercial harvesting of herbs, lichens, mushrooms or any other wild plant or part thereof, except the commercial harvesting or berries

FISHING AND TRAPPING

FISHING AND TRAPPING

031 Fishing

- Fish or shellfish farming in salt water or fresh water, where the proposal includes the construction of shore-based facilities other than wharves
- Permanent traps or weir fisheries, salt water

032 Services Incidental to Fishing

- Fish or shellfish breeding and propagating services, or fish or shellfish hatchery services, where the proposal includes the construction of shore-based facilities other than wharves

LOGGING AND FORESTRY

LOGGING

041 Logging

- Management of forested land for the primary purpose of harvesting timber, such management activities to be organized into five-year intervals for each designated geographical area of forested land

NOTE: Registration, in this Group of undertakings, shall be in the form of a management plan for the designated area including but not limited to the following information:

(a) new resource road corridors;

(b) areas designated for cutting;

(c) estimates of the total allowable harvest;

(d) harvesting the land rehabilitation plans and general methods; and

(e) silviculture and reforestation plans and general methods including the application of fertilizers and pesticides

Each management plan shall be registered at least one year prior to the proposed date of implementation of that plan. The designation of particular forested areas for the purpose of registration and the determination of the date of commencement of the first five-year management interval for each designated area shall be at the discretion of the Minister, in consultation with the proponents.

FORESTY SERVICES

051 Forestry Services

- Aerial application of pesticides, as defined in *The Pesticides Control Act, 1983*
- Introductions of exotic species of animals, plants or microbial agents
- Establishment of forests in previously unforested areas

MINING (INCLUDING MILLING), QUARRYING AND OIL WELLS

MINING

061 *Metal Mines

062 *Non-metal Mines (Except Coal)

063 *Coal Mines

CRUDE PETROLEUM AND NATURAL GAS

071 Crude Petroleum and Natural Gas

- Crude oil or petroleum production facilities
- Natural gas production facilities

QUARRIES AND SAND PITS

081 Stone Quarries

(a) where the total area is greater than 10 hectares, or

(b) where any portion is to be located within a Special Area as defined in Schedule 2, unless the Special Area is an Aggregate Potential Zone

082 Sand and Gravel Pits

(a) where the total area is greater than 10 hectares, or

(b) where any portion is to be located within a Special Area as defined in Schedule 2, unless the Special Area is an Aggregate Potential Zone

MANUFACTURING

FOOD

101 Meat and Poultry Products
- Abattoirs
- Meat, fat or oil processing facilities
- Poultry processing facilities

102 *Fish Products
EXCEPTION: Portable fish processing facilities

105 Flours, Prepared Cereal Foods and Feeds
- Feed Mills

BEVERAGES

112 *Distillery Products

113 *Brewery Products

114 *Wines

RUBBER PRODUCTS

151 *Tires and Tubes

152 *Rubber Hoses and Beltings

159 *Other Rubber Products

PLASTIC PRODUCTS

161 *Foamed and Expanded Plastic Products

162 *Plastic Pipes and Pipe Fittings

163 *Plastic Films and Sheetings

169 *Other Plastic Products

LEATHER AND ALLIED PRODUCTS

171 Leather and Allied Products
- Leather tanneries

PRIMARY TEXTILES

181 *Man-made Fibres and Filament Yarns

182 *Spun Yarns and Woven Cloths

183 *Broad Knitted Fabrics

TEXTILE PRODUCTS

191 *Natural Fibres Processing and Felt Products

192 *Carpets, Mats and Rugs

193 *Canvas and Related Products

199 *Other Textile Products

WOOD

251 Sawmill, Planing Mill and Shingle Mill Products Industries

- Sawmills with annual production capacities greater than 1200 cubic metres solid lumber

252 *Veneers and Plywoods

259 Other Wood Products

- Wood preservation facilities which use creosote, pentachlorophenol or similar chemical processes
- Particle board or wafer board production

PAPER AND ALLIED PRODUCTS

271 *Pulp and Paper

272 *Asphalt Roofing

279 *Other Converted Paper Products

PRIMARY METALS

291 *Primary Steel

292 *Steel Pipes and Tubes

294 *Iron Foundries

295 *Non-Ferrous Metal Smelting and Refining

296 *Aluminum Rolling, Casting and Extruding

297 *Copper and Copper Alloy Rolling, Casting and Extruding

299 *Other Rolled, Cast and Extruded Non-Ferrous Metal Products

FABRICATED METAL PRODUCTS (EXCEPT MACHINERY AND TRANSPORTATION EQUIPMENT)

304 Stamped, Pressed and Coated Metal Products

- Custom Coating of Metals

TRANSPORTATION EQUIPMENT

327 Shipbuilding and Repair

- Facilities engaged in building and repairing all types of ships of more than 4.54 tonnes displacement including marine production platforms for petroleum, natural gas or mineral resource extraction

  EXCEPTION: Facilities established on the private property of a fisherman for the purpose of building or repairing a fishing vessel

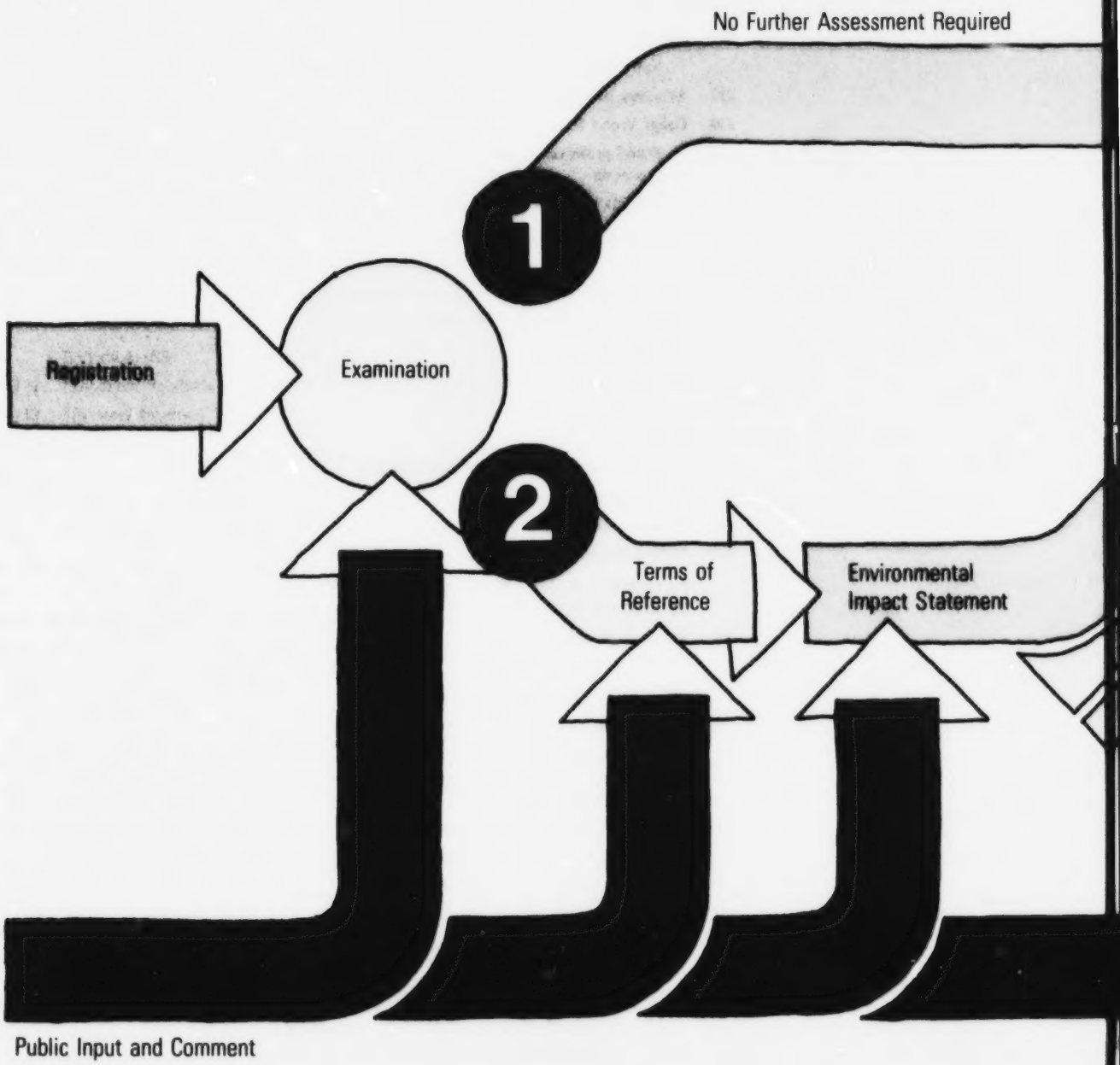
NON-METALLIC MINERAL PRODUCTS

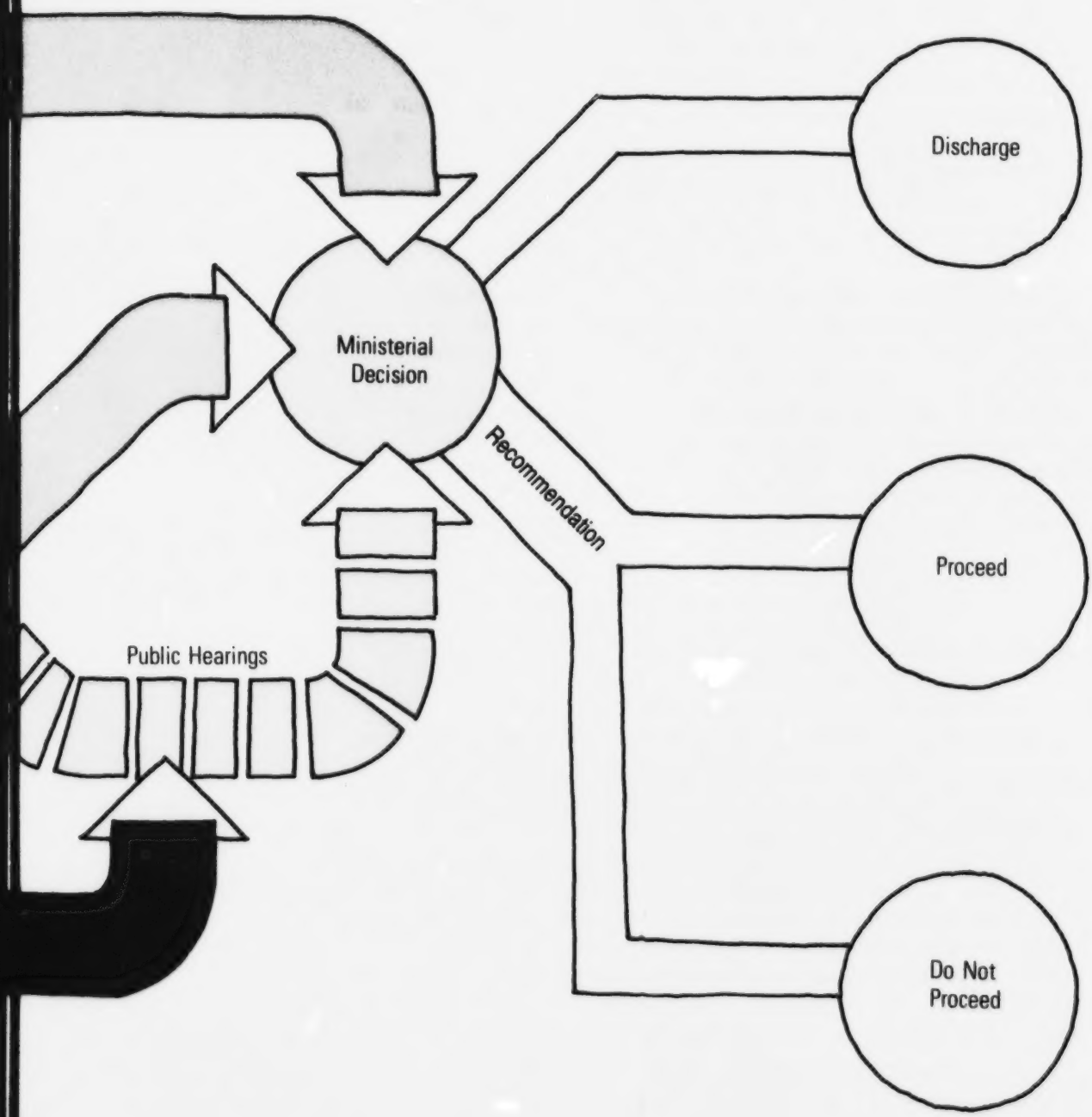
351 Clay Products

- Manufacturing of structural clay products
  EXCEPTION: Refractories
- Operation of clay pits where:
  (a) the area of operation exceeds 10 hectares; or
  (b) any portion of the operation is to be located within a Special Area as defined in Schedule 2

The Environmental Assessment Process

Sequence
Diagram




Discharge
Ministerial Decision
Recommendation
Proceed
Public Hearings
Do Not Proceed

352 *Hydraulic Cements

354 *Concrete Products

357 *Abrasives

358 *Limes

359 Other Non-Metallic Mineral Products

- Refractory materials production
- Asbestos materials production
- Gypsum materials production
- Fibrous glass production
- Mineral wool production
- Drilling Muds manufacturing

REFINED PETROLEUM AND COAL PRODUCTS

361 *Refined Petroleum Products

369 *Other Petroleum and Coal Products

EXCEPTION: Portable asphalt manufacturing plants

CHEMICALS AND CHEMICAL PRODUCTS

371 *Industrial Chemicals

372 *Agricultural Chemicals

373 *Plastics and Synthetic Resins

375 *Paints and Varnishes

376 *Soaps and Cleaning Compounds

379 *Other Chemical Products

OTHER MANUFACTURING

391 Scientific and Professional Equipment

- Photographic films and plates manufacturing

399 Other Manufactured Products

- Floor tiles, linoleums and coated fabrics manufacturing

CONSTRUCTION

INDUSTRIAL AND HEAVY (ENGINEERING) CONSTRUCTION

411 Industrial Construction (Other Than Buildings)

- Construction of pipelines for the transmission of oil, natural gas and other related products from the source to the point of distribution, where:

  (a) any portion of the pipeline is to be located at a distance greater than 500 metres from an existing right-of-way, or

  (b) any portion of the pipeline is to be located in a Special Area as defined by Schedule 2

- Diesel electric power generating plants having a capacity greater than 1 megawatt
- Gas turbine electric power generating plants having a capacity greater than 1 megawatt
- Nuclear electric power generating plants

412 Highways and Heavy Construction

A. Roads

Construction of roads or the relocation or realignment of existing roads where:

(a) any portion of the new road is to be located at a distance greater than 500 metres from an existing right-of-way, or

(b) any portion of the new road is to be located in a Special Area as defined in Schedule 2

EXCEPTIONS:

(i) Haul roads for logging, mining or quarrying purposes

(ii) Roads designated within a development plan

B. Waterworks and Sewage Systems

(1) Construction of trunk pipelines for transmission of water from the source to the point of distribution, where:

(a) any portion of the transmission pipeline is to be located at a distance greater than 500 metres from an existing right-of-way, or

(b) any portion of the pipeline is to be located in a Special Area as defined in Schedule 2

(2) Construction of trunk sewer pipelines where:

(a) any portion of the pipeline is to be located at a distance greater than 500 metres from an existing right-of-way, or

(b) any portion of the pipeline is to be located within a Special Area as defined in Schedule 2

(3) Construction of trunk sewer pipeline outfalls

C. Hydroelectric Power Plants and Related Structures (Except Transmission Lines)

(1) Construction of dams and associated reservoirs, where:

(a) the area to be flooded is greater than 500 hectares, or

(b) any area to be flooded is located within a Special Area as defined in Schedule 2

(2) Excavation of reservoirs where:

(a) the area to be flooded is greater than 50 hectares, or

(b) any area to be flooded is located within a Special Area as defined in Schedule 2

(3) Inter- or intra-basin water transfers

(4) Construction of hydroelectric power developments, where:

(a) the capacity is greater than one megawatt, or

(b) any portion of the development is located within a Special Area as defined in Schedule 2

D. Power and Telecommunication Transmission Lines

(1) Construction of microwave towers

(2) Construction of new electric power transmission lines or the relocation or realignment of existing lines, where:

(a) any portion of a new line is to be located at a distance greater than 500 metres from an existing right-of-way, or

(b) any portion of a new line is to be located within a Special Area as defined in Schedule 2

(3) Construction of new telephone trunk lines, or the relocation or realignment of existing trunk lines, where:

(a) any portion of a new line is to be located at a distance greater than 500 metres from an existing right-of-way, or

(b) any portion of a new line is to be located within a Special Area as defined in Schedule 2

E. Other Heavy Construction

(1) Construction of breakwater structures where:

(a) the breakwater is greater than 100 metres in length, or

(b) any portion of the breakwater is located in a Special Area as defined in Schedule 2

EXCEPTION: When the breakwater is constructed entirely on or immediately adjacent to a natural shoreline

(2) Construction of dikes, levees or other flood control structures

(3) Construction of canals and other artificial waterways where:

(a) the canal or other artificial waterway is wider than three metres measured at the ground surface, or

(b) any portion of the waterway is located in a Special Area as defined in Schedule 2

(4) Inter- or intra-basin water transfers

(5) Land reclamation or landfilling of any underwater areas where:

(a) any portion is located within an estuary, or

(b) any portion is located within a Special Area as defined in Schedule 2, or

(c) the area to be reclaimed or filled is greater than five hectares

(6) Drainage of land areas where:

(a) the total area of land to be drained is greater than 50 hectares, or

(b) any portion of the area to be drained is located in a Special Area as defined in Schedule 2

(7) New railway lines or realignment of existing railway lines, where:

(a) any portion of new line is to be located at a distance greater than 500 metres from the nearest existing right-of-way, or

(b) any portion of new line is to be located in a Special Area as defined in Schedule 2

(8) Construction of railway yards

EXCEPTION: Railway yards located entirely within areas designated for that purpose in a development plan

(9) Construction of service depots or equipment storage yards

EXCEPTION: Service depots or equipment storage yards located entirely within areas designated for that purpose in a development plan

(10) Excavation of tunnels or caverns where:

(a) a quantity of material greater than 1000 cubic metres is to be extracted, or

(b) any portion of the excavation is to be located in a Special Area as defined in Schedule 2

SERVICES INCIDENTAL TO CONSTRUCTION

449 Other Services Incidental to Construction

- Developing, subdividing or servicing of lands for subsequent sale, transfer or lease where:

(a) the total area involved is greater than 10 hectares, or

(b) any portion of land is located within a Special Area as defined in Schedule 2

EXCEPTION: Where land to be developed is located entirely within an area designated for that purpose in a development plan

- Land Clearing where:

(a) the total area to be cleared is greater than 50 hectares, or

(b) any portion of the land to be cleared is located within a Special Area as defined in Schedule 2

EXCEPTION: Where the land to be cleared is located entirely within an area designated for that purpose in a development plan

- Modification of a watercourse where:

(a) a total of more than one kilometre of the length of the watercourse is involved, or

(b) any portion of the watercourse to be modified is located in a Special Area as defined in Schedule 2

TRANSPORTATION AND STORAGE

TRANSPORTATION

452 Services Incidental to Air Transport

- Establishment and operation of permanent airports on land or water

COMMUNICATION AND OTHER UTILITIES

OTHER UTILITIES

499 Other Utilities

- Establishment of waste disposal sites where:
  - (a) the population to be served by the waster disposal site is greater than 5000
  - (b) any portion of the waste disposal site is located in a Special Area as defined in Schedule 2, unless that Special Area is a Waste Disposal Site
- Establishment of facilities for the collection, storage or disposal of hazardous waste materials

WHOLESALE TRADE

PETROLEUM PRODUCTS, WHOLESALE

511 Petroleum Products, Wholesale

- Establishment of petroleum products storage facilities having a total capacity greater than 2,000,000 litres

OTHER PRODUCTS, WHOLESALE

591 Waste Materials, Wholesale

- Establishment of facilities for the purpose of assembling, breaking up, sorting or wholesale trading of scrap, junk or waste material of any type

GOVERNMENT SERVICES

PROVINCIAL GOVERNMENT SERVICES

827 Economic Services Administration

- Resource conservation and management programs involving introductions of exotic species of animals or plans for any purpose
- Resource conservation and management programs involving introductions of native species of animals or plants into areas of the province where those species do not occur at the time of the proposed introduction
- Designation of Crown Land for cottage development or other recreational development where:
  - (a) the total area exceeds 10 hectares

(EXCEPTION: Where the land is located entirely within an area designated for that purpose in a development plan) or

  - (b) any portion of the land to be designated is located within a Special Area as defined in Schedule 2

ACCOMMODATION, FOOD AND BEVERAGE SERVICES

ACCOMMODATION SERVICES

913 Establishment of Camping Grounds and Travel Trailer Parks where the area of land to be developed exceeds 10 hectares

EXCEPTION: Where the Camping Ground or Travel Trailer Park is located entirely within an area designated for that purpose in a development plan

914 Establishment of Recreation and Vacation Camps where the area of land to be developed exceeds 10 hectares

EXCEPTION: Where the Recreation or Vacation Camp is located entirely within an area designated for that purpose in a development plan

OTHER SERVICES

AMUSEMENT AND RECREATIONAL SERVICES

964 Commercial Spectator Sports

- Establishment of horse racetrack operations
- Establishment of racetrack operations for motorized vehicles

965 Sports and Recreation Clubs and Services

- Establishment of facilities for downhill or cross country skiing, including trails, where:
  (a) the area of land to be developed exceeds 10 hectares, or
  (b) the total length of the trail(s) exceeds 10 kilometres
- Establishment of outdoor firearm ranges
- Establishment of marina operations
  EXCEPTION: Where the marina operation is to located entirely within an area designated for that purpose in a development plan
- Establishment of facilities for inclined railways and aerial lifts or tows
- Establishment of facilities, including trails, for motorized recreational vehicles

969 Other Amusement and Recreational Services

- Establishment of trails for any purpose where:
  (a) the length of any individual trail is greater than ten kilometres, or
  (b) any portion of the trail is to be located in a Special Area as defined in Schedule 2

EXCEPTION: Where trails to be established are located entirely within an area designated for that purpose in a development plan or in a Provincial Park.

INDEX

Classification Number	Undertaking	Page
	A	
101	Abbatoirs	16
357	Abrasives production	18
913-914	ACCOMMODATION SERVICES	22
051	Aerial pesticides applications	15
051	Afforestation	15
011-016	AGRICULTURE	14
452	Airports	21
452	Air transport, services incidental to	21
101	Animal oil processing	16
051	Animals, introduction for forestry purposes	15
827	Animals, introduction for resource conservation	22
359	Asbestos materials production	18
272	Asphalt roofing production	17
964-965	AMUSEMENT AND RECREATIONAL SERVICES	23
	B	
112-114	BEVERAGES	16
015	Blueberry Management Areas	14
412	Breakwaters construction	20
113	Brewery products	16
	C	
827	Camping grounds	22
914	Camps, recreation and vacation	23
412	Canals, construction	20
193	Canvas products	16
192	Carpets, production	16
296	Castings, aluminum	17
297	Castings, copper	17
299	Castings, other	17
412	Caverns, excavation	21
352	Cements, hydraulic	18
371-379	CHEMICALS AND CHEMICAL PRODUCTS	18
372	Chemicals, agricultural	18
371	Chemicals, industrial	18
379	Chemical products, other	18
016	Christmas tree farming	14
351	Clay pits	17
351	Clay products	17
376	Cleaning compounds, production	18

Classification Number	Undertaking	Page
182	Cloths, woven	16
063	Coal mining	15
369	COAL PRODUCTS	18
399	Coated fabrics, manufacturing	18
304	Coating, metals	17
011	Community pastures	14
354	Concrete production	18
411-499	CONSTRUCTION	18
279	Converted paper products	17
449, 827	Cottage Developments	21,22
827	Crown Land development	22
071	CRUDE PETROLEUM AND NATURAL GAS	15
	D	
412	Dams	19
412	Depots, service or storage	21
112	Distillery products	16
359	Drilling muds production	18
412	Dykes	20
	E	
411	Electric power plants, diesel	19
411	Electric power plants, gas turbine	19
412	Electric power plants, hydro	19
411	Electric power plants, nuclear	19
412	Electric power transmission lines	20
412	Excavation, caverns	21
412	Excavation, reservoirs	19
412	Excavation, tunnels	21
051	Exotic species, introduction for forest protection	15
827	Exotic species, introduction for resource management	22
296	Extruding, aluminum	17
297	Extruding, copper	17
299	Extruding, other	17
	F	
304	FABRICATED METAL PRODUCTS	17
183	Fabrics, knitted	16
183	Fabrics, broad knitted	16
399	Fabrics, coated	18
016	Farming, Christmas tree	14
031	Farming, fish	14
101	Fat processing, animal	16
105	Feed mills	16

Classification Number	Undertaking	Page
191	Felts production	16
181	Fibers, man-made	16
359	Fibrous glass production	18
965	Firearm ranges, outdoor	23
032	Fish breeding and propogation	14
031	Fish farming	14
031-032	FISHING	14
032	Fish hatching services	14
102	Fish meal processing	16
102	Fish oil processing	16
412	Flood control structures, construction	20
399	Floor tiles production	18
105	Flours	16
101-105	FOOD	16
041	Forest harvesting	14
051	Forests, establishment in previously unforested areas	15
041	Forest management	14
	G	
827	GOVERNMENT SERVICES, PROVINCIAL	22
359	Gypsum materials production	18
	H	
016	Harvesting of wild plants	14
499	Hazardous wastes, collection, storage and disposal	22
412	Highways and Heavy Construction	19
964	Horse racetracks	23
016	Horticulture	14
412	Hydroelectric power plants	19
	I	
411-412	INDUSTRIAL AND HEAVY (ENGINEERING) CONSTRUCTION	18
051	Introduction of exotic species for forest protection	15
827	Introduction of exotic species or native species for resource management	22
294	Iron production	17
	L	
449	Land clearing, developing, subdividing and servicing	21
011, 015	Land clearing for agricultural purposes	14
412	Land reclamation, filling and draining	20
171	LEATHER AND ALLIED PRODUCTS	16
412	Levees, construction	20

Classification Number	Undertaking	Page
358	Limes, production	18
011	Livestock farming	14
041 - 051	LOGGING AND FORESTRY	14
	M	
101 - 399	MANUFACTURING	16
965	Marinas	23
192	Mats, textile	16
101	Meat processing	16
304	Metal coating	17
061	Metal mining	15
295	Metal smelting and refining	17
051	Microbial agents, introduction for forestry purposes	15
251	Mills, planing	17
251	Mills, shingle	17
251	Mills, saw	17
351 - 369	MINERAL PRODUCTS	17
061 - 063	MINING	15
359	Mineral wool production	18
359	Muds, drilling	18
	N	
071	NATURAL GAS PRODUCTION	15
295	Non-ferrous metal smelting & refining	17
062	Non-metal mining	15
351 - 359	NON-METALLIC MINERAL PRODUCTS	17
	P	
375	Paints	18
271	PAPER AND ALLIED PRODUCTS	17
271	Paper production	17
279	Paper products, converted	17
011	Pastures, community	14
259	Particle board production	17
051	Pesticides, aerial application	15
071	Petroleum production	15
369	Petroleum products	18
511	Petroleum products storage, wholesale	22
391	Photographic films and plates, production	18
411	Pipeline construction, industrial	18
412	Pipeline construction, sewer trunk and water trunk	18
351	Pits, clay	17
082	Pits, gravel and sand	15
251	Planing mills	17

Classification Number	Undertaking	Page
051	Plants, introduction for forestry purposes	15
827	Plants, introduction for resource conservation	22
163	Plastic films and sheetings	16
162	Plastic pipes and fittings	16
161 - 169	PLASTIC PRODUCTS	16
373	Plastic resins production	18
161	Plastics, foamed and expanded	16
252	Plywood production	17
101	Poultry processing	16
291 - 299	PRIMARY METALS PRODUCTION	17
181 - 183	PRIMARY TEXTILES	16
327	Production platforms for petroleum, natural gas and mineral extraction	17
391	Professional equipment manufacturing	18
271	Pulp processing and production	17
	Q	
081 - 082	QUARRIES	15
	R	
964	Racetracks, horse	23
964	Racetracks, motorized vehicles	23
412	Railway line construction or realignment	20
412	Railway yard construction	21
914	Recreation camps	23
965	Recreation clubs and services	23
449	Recreational land development	21
965	Recreational vehicles, facilities for	23
361 - 369	REFINED PETROLEUM AND COAL PRODUCTS	18
051	Reforestation	15
359	Refractory materials production	18
412	Reservoir construction or excavation	19
373	Resins production	18
412	Resource access road construction	19
827	Resource conservation or management programs	22
412	Roads construction or realignment	19
296 - 299	Rolling, aluminum, copper or other metals	17
272	Roofing, asphalt	17
151 - 159	RUBBER PRODUCTS	16
152	Rubber hoses and beltings	16
151	Rubber tires and tubes	16
192	Rugs, textile	16

Classification Number	Undertaking	Page
	S	
251	Sawmills	17
391	Scientific and professional equipment manufacturing	18
449	SERVICES INCIDENTAL TO CONSTRUCTION	21
412	Sewer trunk pipelines	19
032	Shellfish breeding, propogating, hatchery services	14
031	Shellfish farming	14
327	Shipbuilding and repair	17
965	Skiing facilities	23
376	Soaps production	18
965	Sports clubs and services	23
964	Sports, spectator	23
292	Steel pipes and tubes	17
291	Steel production	17
	T	
171	Tanneries, leather	16
412	Telephone trunk line construction or realignment	20
181 - 199	TEXTILES	16
399	Tiles, floor	18
151	Tires and tubes, rubber	16
412	Towers, broadcasting or receiving	20
412	Towers, microwave	20
969	Trails, for any purpose	23
412	Transmission lines, electric power	20
412	Transmission lines, telecommunication	20
452	TRANSPORTATION	21
327	TRANSPORTATION EQUIPMENT	17
913	Travel trailer parks	22
412	Tunnel excavation	21
	U	
499	UTILITIES	22
	V	
914	Vacation camps	23
375	Varnishes, production	18
252	Veneer products	17
	W	
259	Waferboard production	17
499	Waste disposal sites	22
591	Waste materials, sorting, assembling or breaking up	22

Classification Number	Undertaking	Page
499	Waste material, hazardous	22
412	Water trunk pipelines	19
449	Watercourse modifications	21
412	Waterways, artificial	20
412	Water transfers, intra- or inter-basin	20
031	Weir fishing, permanent	14
511-591	WHOLESALE PRODUCTS	22
016	Wild plant harvesting	14
114	Wines	16
251-259	WOOD	17
259	Wood products	17
259	Wood preservation facilities	17
	Y	
181	Yarns, filament	16
182	Yarns, spun	16

SPECIAL AREAS

Pursuant to subsections 4(10) & (11) of the Regulations

The types of Special Areas referred to in subsections 4(10) & (11) shall be the following:

Aggregate Potential Zones
Agricultural Development Areas
Archaelogical Sites
Forest Management Reserves
Industrial Development Areas
Protected Water Supply Areas
Provincial Parks
Restricted Development Areas
Scheduled Salmon Rivers*
Seabird Sanctuaries
Waste Disposal Sites
Wildlife Reserve Areas

***NOTE:** In the case of a scheduled salmon river, the Special Area is defined to include all land areas located within 200 m of the high-water mark of the river.

The boundaries of the foregoing Special Areas have been compiled in a *Land Use Atlas* by the Land Management Division of the Department of Forest Resources and Lands. The Land Use Atlas is amended from time to time to reflect the changing composition and boundaries of the Special Areas. For the purposes of these regulations the areas included in the current Land Use Atlas in effect at the time of registration of the proposed development shall apply.

Other types of areas included in the Land Use Atlas but not listed in this Schedule shall not be Special Areas.

Copies of the Land Use Atlas may be viewed at the following regional offices of the Department of Forest Resources and Lands:

Eastern Region
Bldg. T851, P.O. Box 4750
Pleasantville
St. John's, Newfoundland
A1C 5T7
TEL: (709) 737-2641

Central Region
30 Airport Boulevard
Gander, Newfoundland
A1V 1T5
TEL: (709) 256-7131

Western Region
Shoprite Building
Broadway Street
P.O. Box 2006
Corner Brook, Newfoundland
A2H 6J8
TEL: (709) 637-2393

Labrador Region
Building 86, North Side
P.O. Box 370
Goose Bay Labrador
A0P 1C0
TEL: (709) 896-3405

SCHEDULE 3

REGISTRATION FORM

Pursuant to Section 6 of

The Environmental Assessment Act

(This Form prescribes the nature and sequence of the information required. *The proponent should reproduce the text of each section as it appears below,* adding the required information immediately following each section. The proponent's entries should be brief but comprehensive. THE ORIGINAL (INCLUDING ATTACHED LARGE-SCALE MAPS) PLUS 25 COPIES OF THE COMPLETED FORM AND APPROPROATE MAP SECTIONS ARE TO BE SUBMITTED.

NAME OF UNDERTAKING:

PROPONENT:

(i) Name of Corporate Body:

(ii) Address:

(iii) Chief Executive Officer

Name:
Official Title:
Telephone No.:

(iv) Principal Contact Person for purposes of environmental assessment:

Name:
Official Title:
Telephone No.:

THE UNDERTAKING:

(i) Nature of the Undertaking:

(ii) Purpose/Rationale/Need for the Undertaking:

DESCRIPTION OF THE UNDERTAKING:

Under Sections (i), (ii), (iii), and (iv) below, the proponent shall provide complete information concerning his preferred choice of location, design, etc., together with additional information on any alternatives which may have been considered and rejected, but which may still be regarded as viable. Brief statements of the reasons for the rejection of those alternatives should be included:

(i) Geographical Location:

- verbal description of the proposed site, including boundaries if possible.
- attach large-scale (e.g. 1:12,500) original base map(s) and/or recent airphoto(s) clearly indicating the site location relative to existing communities and transportation facilities, and showing the proposed route of access. The appropriate National Topographic Survey edition should be affixed to the map(s).

(ii) Physical Features:

- major physical features of the undertaking, e.g., large buildings, other large structures, roads, pipelines, transmission lines, marine transport facilities, etc.
- area to be affected by undertaking.
- attach an artist's conceptual drawing, if available.

(iii) Construction (if applicable):

- appropriate total construction period (if staged, please list each stage and its approximate duration).
- proposed date of first physical construction-related activity on site.
- potential sources of pollutants during the construction period(s), including airborne emissions, liquid effluents and solid waste materials.
- potential causes of resource conflicts.

(iv) Operation:

- description of the operation.
- estimated period of operation, if not a permanent facility.
- potential sources of pollutants during the operation period, including airborne emmissions, liquid effluents and solid waste materials.
- potential causes of resource conflicts.

(v) Occupations:

- provide an enumeration and breakdown of occupations anticipated for this undertaking according to the Canadian Classification and Dictionary of Occupations, 1971. This information will be used to determine if any hazardous occupations are involved.

(vi) Project-Related Documents:

- provide a bibliography of all project-related documents already generated by or for the proponent.
- provide one copy of any reports on environmental work already performed by or for the proponent.

APPROVAL OF THE UNDERTAKING:

List the main permits, licences, approvals, and other forms of authorization required for the undertaking, together with the *names* of the authorities responsible for issuing them (e.g., federal government department, provincial government department, municipal council, etc.).

SCHEDULE:

In order to indicate the degree of urgency associated with this undertaking (by the proponent), give the latest date by which the proponent would like to complete the requirements of *The Environmental Assessment Act* and seek approval for the undertaking. Briefly state the reasons for the selection of this date.

FUNDING:

If this undertaking depends upon a grant or loan of capital funds from a government agency (federal, provincial or otherwise), state the name and address of the department or agency from which the funds have been requested.

Date

Signature of Chief Executive Officer

The completed Registration Form and the 25 copies should be sent together with a covering letter, to:

Minister of Environment
P.O. Box 4750
St. John's, Newfoundland
A1C 5T7

Attention: Director of Environmental Assessment